

UTILITY PATENT APPLICATION TRANSMITTAL

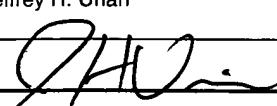
(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 0275Y-000625/COD

First Inventor Michael L. O'Banion et al.

Title METHOD AND APPARATUS FOR FASTENING STEEL FRAMING WITH NAILS

Express Mail Label No. EV 406 074 532 US (2/17/2004)

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>		ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450																									
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i></p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 54] <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> - Descriptive title of the Invention <input checked="" type="checkbox"/> - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (<i>if filed</i>) - Detailed Description - Claim(s) - Abstract of the Disclosure </p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 24]</p> <p>5. Oath or Declaration [Total Pages] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) <i>(for a continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> DELETION OF INVENTOR(S) <i>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</i> </p> <p>6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>		<p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (<i>Appendix</i>)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (<i>if applicable, all necessary</i>) <ul style="list-style-type: none"> a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: <ul style="list-style-type: none"> i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies </p>																									
ACCOMPANYING APPLICATIONS PARTS																											
<p>9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>10. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement <input type="checkbox"/> Power of Attorney (<i>when there is an assignee</i>)</p> <p>11. <input type="checkbox"/> English Translation Document (<i>if applicable</i>)</p> <p>12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i></p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (<i>if foreign priority is claimed</i>)</p> <p>16. <input type="checkbox"/> Request and Non Publication under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</p> <p>17. <input checked="" type="checkbox"/> Other: <u>Reference to Recorded Assignment of Original Application (including copy of 3 sets of Assignment documents which collectively contain the signature of the 5 inventors)</u></p>																											
<p>18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:</p> <p><input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: 10 / 176,998 <i>Prior application information: Examiner Neill R. Wilson Group / Art Unit: 3679</i></p> <p>For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.</p>																											
17. CORRESPONDENCE ADDRESS																											
<input checked="" type="checkbox"/> Customer Number or Bar Code Label		27572 <i>(Insert Customer No. or Attach bar code label here)</i>																									
or <input type="checkbox"/> Correspondence address below																											
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Name</td> <td colspan="3">Harness, Dickey & Pierce, P.L.C.</td> </tr> <tr> <td>Address</td> <td colspan="3">P.O. Box 828</td> </tr> <tr> <td>City</td> <td>Bloomfield Hills</td> <td>State</td> <td>MI</td> </tr> <tr> <td>Country</td> <td>United States of America</td> <td>Telephone</td> <td>248-641-1600</td> </tr> <tr> <td></td> <td></td> <td>Zip Code</td> <td>48303</td> </tr> <tr> <td></td> <td></td> <td>Fax</td> <td>248-641-0270</td> </tr> </table>				Name	Harness, Dickey & Pierce, P.L.C.			Address	P.O. Box 828			City	Bloomfield Hills	State	MI	Country	United States of America	Telephone	248-641-1600			Zip Code	48303			Fax	248-641-0270
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		Fax	248-641-0270																								
Name (Print/Type)		Jeffrey H. Urian																									
Signature																											
		Registration No. (Attorney/Agent) 46,232																									
		Date February 17, 2004																									

EV 406 074 532 US

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FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 878)

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Michael L. O'Banion
Examiner Name	
Group / Art Unit	
Attorney Docket No.	0275Y-000625/COD

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Other None
 Deposit Account:
Deposit
Account
Number

02-2548

Deposit
Account
Name

Black & Decker (U.S.) Inc.

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee
 to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee Description	
1001	770	Utility filing fee	770
1002	340	Design filing fee	
1003	530	Plant filing fee	
1004	770	Reissue filing fee	
1005	160	Provisional filing fee	
SUBTOTAL (1)			(\$ 770)

2. EXTRA CLAIM FEES

Total Claims	26	-20 **	=	6	X	18	=	108
Independent Claims	3	-3 **	=	0	X		=	0
Multiple Dependent					X		=	0

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				(\$ 108)

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code (\$)	
1051	130	2051	65 Surcharge - late filing fee or oath
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet.
1053	130	1053	130 Non-English specification
1812	2,520	1812	2,520 For filing a request for reexamination
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action
1251	110	2251	55 Extension for reply within first month
1252	420	2252	210 Extension for reply within second month
1253	950	2253	475 Extension for reply within third month
1254	1,480	2254	740 Extension for reply within fourth month
1255	2,010	2255	1,005 Extension for reply within fifth month
1401	330	2401	165 Notice of Appeal
1402	330	2402	165 Filing a brief in support of an appeal
1403	290	2403	145 Request for oral hearing
1451	1,510	1451	1,510 Petition to institute a public use proceeding
1452	110	2452	55 Petition to revive - unavoidable
1453	1,330	2453	665 Petition to revive - unintentional
1501	1,330	2501	665 Utility issue fee (or reissue)
1502	480	2502	240 Design issue fee
1503	640	2503	320 Plant issue fee
1460	130	1460	130 Petitions to the Commissioner
1807	50	1807	50 Processing fee under 37 CFR 1.17 (q)
1806	180	1806	180 Submission of Information Disclosure Stmt
8021	40	8021	40 Recording each patent assignment per property (times number of properties)
1809	770	2809	385 Filing a submission after final rejection (37 CFR § 1.129(a))
1810	770	2810	385 For each additional invention to be examined (37 CFR § 1.129(b))
1801	770	2801	385 Request for Continued Examination (RCE)
1802	900	1802	900 Request for expedited examination of a design application
Other fee (specify) _____			

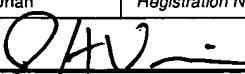
*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Jeffrey H. Urian	Registration No. Attorney/Agent)	46,232	Telephone	248-641-1600
Signature				Date	February 17, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

Filing Date:

Applicant: Michael L. O'Banion et al.

Group Art Unit:

Examiner:

Title: METHOD AND APPARATUS FOR FASTENING STEEL
FRAMING WITH NAILS

Attorney Docket: 0275Y-000625/COD

Director of The United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

**REFERENCE TO RECORDED ASSIGNMENT
OF ORIGINAL APPLICATION**

This application is a continuation application of U.S. Application No. 10/176,998.

A prior assignment of the original application is recorded in the U.S. Patent and Trademark Office at Reel 013344, Frame 0944 and a copy of the assignment is provided herewith. This assignment recorded against the original application gives the assignee rights to the subject matter common to both applications.

Respectfully submitted,

Dated: February 17, 2004

By: 
Jeffrey H. Urian
Reg. No. 46,232

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